

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SHAWN C. SHARP,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Civil Action No. 00-2156
	)	
SUPER. JOHNSON, DEPUTY SUPER.	)	
KRYSEVIG, DEPUTY SUPER.	)	
DICKSON, DEPUTY SUPER.	)	
STICKMAN, RHODA WINSTEAD,	)	
Prog. Man., FATHER TURSA,	)	
Chaplain, TANKO IBRAHIYM,	)	
Chaplain, SUPERINTENDENT	)	
CONNER BLAIN, DEPUTY	)	
SUPERINTENDENT PAUL	)	
STOWITZKY, DEPUTY	)	
SUPERINTENDENT JOHN MILLER,	)	
CAPTAIN COLEMAN, LIEUTENANT	)	
FISHER, MAJOR MALVIN LOCKETT,	)	
LIEUTENANT MATCUS,	)	
LIEUTENANT BLAKEY, JEAN A.	)	
MEARS, CHAPLAIN GEORGE J.	)	
MONECK and CHAPLAIN IHMAM	)	
MUHAMMED,	)	
	)	
Defendants.	)	

**PRETRIAL ORDER**

AND NOW, this 22nd day of August, 2006, the Court HEREBY ORDERS as follows:

1. **Jury Selection & Trial.** Jury selection and trial are set for **January 8, 2007, at 9:00 a.m.**, United States Post Office & Courthouse, 700 Grant Street, Courtroom C, 9th Floor, Pittsburgh, Pennsylvania.
2. **Witness Lists and Exhibits.**
  - a. The witnesses identified in the parties' Pretrial Narrative Statement shall

constitute the list of witnesses permitted to be called, other than for purely impeachment purposes. To the extent that any party seeks to amend its witness list, an appropriate motion shall be filed by **December 8, 2006**.

b. All exhibits must be exchanged and marked in advance of trial. Plaintiffs shall use numbers and Defendants shall use letters. If more than one party wishes to offer the same exhibit it shall be marked with a number and listed as a joint exhibit on the parties' exhibit list. On the first day of trial, each party shall supply the Court with a copy of all exhibits to be used at trial, together with a listing thereof; the parties shall supply the courtroom deputy/law clerk with a second set of exhibits to be used as part of the official record of the Court.

3. **Designation of Discovery Excerpts to be Offered at Trial.** The parties shall submit designation of excerpts from depositions, interrogatory answers, and responses to requests for admission to be offered at trial (other than for impeachment) by **December 20, 2006**.

4. **Motions and Briefs.** The parties shall file all motions in limine, including motions under Fed.R.Evid. 104(a) and motions to limit or sever issues, together with supporting briefs or memoranda of law, and, if desired, a trial brief, by **December 11, 2006**. Responses shall be filed by **December 20, 2006**. All briefs supporting or opposing such motions are limited to 5 pages; trial briefs are limited to 20 pages.

5. **Proposed Jury Instructions & Verdict Slips.** Counsel shall meet in an attempt to agree on a joint set of proposed jury instructions. After said meeting, and on or before **December 11, 2006**, counsel shall file a unified (meaning one), combined set of proposed instructions, along with computer disk/CD containing the instructions in WordPerfect format. The filed set of instructions shall include both the agreed upon instructions and the proposed

instructions to which the parties have not agreed. Each agreed upon instruction shall include the following notation at the bottom: "This proposed instruction is agreed upon by the parties." Each instruction to which the parties have not agreed shall indicate at the bottom the name of the party proffering the instruction. Proposed instructions by different parties shall be grouped together.

\_\_\_\_\_ At the final pretrial conference, a ruling will be made on each point for charge and a copy of the Court's proposed charge will be supplied to counsel. Counsel are required to state objections to the proposed charge at the conference and to supply the alternate language, together with case authority.

6. **Proposed Voir Dire.** Counsel are permitted to supplement the standard questions (see Local Rule 47.1) provided that the proposed supplemental voir dire questions are submitted to the Court in writing by **January 3, 2007**. Any supplemental voir dire questions approved by the Court will be asked by the Court.

7. **Joint Stipulations.** The parties shall file joint stipulations by **January 3, 2007**. All possible stipulations shall be made as to:

- a. facts;
- b. issues to be decided;
- c. the authenticity and admissibility of exhibits;
- d. expert qualifications and reports;
- e. deposition testimony to be read into the record; and
- f. a brief statement of the claims and defenses to be read to the jury to introduce the trial.

Counsel shall meet at a mutually convenient time and place to produce the joint stipulation in

time for filing as ordered.

8. **Final Pretrial Conference.** A final pretrial conference shall be held on **January 3, 2007 at 10:30 a.m.**, United States Post Office and Courthouse, 700 Grant Street, Room 9280, 9th Floor, Pittsburgh, Pennsylvania.

By the Court,

/s/ Amy Reynolds Hay  
AMY REYNOLDS HAY  
United States Magistrate Judge

cc: All counsel of record as listed below

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